The opinion in support of the decision being entered today was <u>not</u> written for publication in a law journal and is <u>not</u> binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Ex parte AVI J. ASHKENAZI, KEVIN P. BAKER,
DAVID BOTSTEIN, LUC DESNOYERS, DAN L. EATON,
NAPOLEONE FERRARA, SHERMAN FONG,
HANSPETER GERBER, MARY E. GERRITSEN, AUDREY GODDARD,
PAUL J. GODOWSKI, J. CHRISTOPHER GRIMALDI, AUSTIN L. GURNEY,
IVAR J. KLJAVIN, MARY A. NAPIER, JAMES PAN,
NICHOLAS F. PAONI, MARGARET A. ROY, TIMOTHY A. STEWART,

DANIEL TUMAS, COLIN K. WATANABE, P. MICKEY WILLIAMS

FEB 2 1 2006

Appeal No. 2006-0353 Application 09/993,748

U.S. PATENT AND TRADEMARK OFFICE BOARD OF PATENT APPEALS AND INTERFERENCES

ORDER DISMISSING APPEAL

On January 10, 2005, appellants filed a Notice of Appeal. On January 19, 2006, appellants filed a communication requesting express abandonment of this application.

Accordingly, it is

.

ORDERED that the appeal filed January 10, 2005, is dismissed.

The application is being returned to the examiner for further action as may be appropriate.

BOARD OF PATENT APPEALS AND INTERFERENCES

Dale M. Shaw

Program and Resource Administrator

(571) 272-9797

Appeal No. 2006-0353 Application 09/993,748

Heller Ehrman, LLP 275 Middlefield Road Menlo Park, CA 94025-3506

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